TELLS THE FACTS AND NAMES THE NAMES

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Why is Sarkozy Getting Away With It?

By Larry Portis

Montpellier

What is happening in France? As everyone now knows, the mass mobilizations in France over the past several months, culminating in November 2010, did not stop the passage of the reform consisting of certain regressive modifications of the retirement system. The movement failed in relation to those of 1986, 1995 and 2006 that had succeeded in rolling back more limited but similar measures. This is so in spite of a strong current of resistance and a "revolutionary tradition" that is an important part of political culture in France.

The question is why and how Sarkozy and his government have been successful in the pursuance of their program to reverse historical gains. Their relative success is all the more impressive in the context created by the financial collapse occurring one year after the formation of this government.

Firstly, and paradoxically, the answer is to be found in the success of the system of social security. Access to efficient, subsidized health services, low-cost education at all levels, unemployment compensation of various types, and retirement benefits is so general that it tends to be taken for granted, even when this access is threatened.

Secondly, and, perhaps, most importantly in the present context, the administrative structure of public services in French has largely contributed to social divisions and accompanying injustices. At the same time, it has reinforced a trend toward a de-politicization, a consequence of alienation from labor unions and political parties that were once seen as vital in the defense of popular interests. Two generations ago, the anti-cap-

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Let Us Now Praise Infamous Animals

The Hidden Story of Animal Resistance

By Jeffrey St. Clair

This account of the hidden histories of animal trials, and of animal resistance, forms the introduction to Jason Hribal's Fear of the Animal Planet: The Hidden History of Animal Resistance*, now being published by CounterPunch Books.*

Only a few centuries ago, in the spring of 1457, a gruesome murder took place in the French village of Savigny-sur-Etang. A 5-year-old boy had been killed and his body partially consumed. A local family was accused of this frightful crime by neighbors who claimed to have witnessed the murder. The seven suspects, a mother and her six children, were soon tracked down by local authorities, who discovered them still stained by the boy's blood. They were arrested, indicted on charges of infanticide, and held in the local jail for trial.

The defendants were indigent, and the court appointed a lawyer to represent them. A few weeks later a trial was convened in Savigny's seigneurial court. Before a crowded room, witnesses were called. Evidence was presented, and legal arguments hotly debated. The justices considered the facts and the law, and rendered a verdict and a sentence. The mother was pronounced guilty and ordered to be hanged to death by her legs from the limb of the gallows tree. Her six children, however, received a judicial pardon. The court accepted the defense lawyer's argument that the youngsters lacked the mental competence to have committed a crime in the eyes of the law. The orphaned children were sent into custodial care at the expense of the state.

This is an interesting case to be sure, featuring important lessons about the legal rights of the poor and the historic roots of juvenile justice in Western jurisprudence, lessons that seem entirely lost on our current "tradition-obsessed" Supreme Court. But here's the kicker – the defendants in these proceedings were not members of our species. They were, it must be said, a family of pigs.

The Savigny murder case, even in its ghastly particulars, was unexceptional. In medieval Europe (and even colonial America), thousands of animals were summoned to court and put on trial for a variety of offenses, ranging from trespassing, thievery and vandalism to rape, assault and murder. The defendants included cats, dogs, cows, sheep, goats, slugs, swallows, oxen, horses, mules, donkeys, pigs, wolves, bears, bees, weevils, and termites. These tribunals were not show trials or strange festivals like Fools Day. The tribunals were taken seriously by both the courts and the community.

Though now largely lost to history, these trials followed the same convoluted rules of legal procedure used in cases involving humans. Indeed, as detailed in E. P. Evans' remarkable book, *The Criminal Prosecution and Capital Punishment of Animals* (1906), humans and animals were frequently tried together in the same courtroom as co-conspirators, especially in cases of bestiality. The animal defendants were appointed their own lawyers at public expense. Animals enjoyed appeal rights, and there are several instances when convictions were overturned and sentences reduced or overturned entirely. Sometimes, particularly in cases involving pigs, the animal defendants were dressed in human clothes

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italist unions and political parties were important vectors of popular education, but this is no longer the case.

Before going into this somewhat occult story, let me first affirm the existence of a powerful, radically social progressive undercurrent in France today that is historically unique in its liberation from previous mindsets on the Left. However, this does not yet mean it has the conceptual clarity and the political resources necessary to vanquish the present reactionary onslaught against previous gains.

Over the past year or so, the French population has been educated in very real terms by those opposed to the reactionary "reforms" of the Sarkozy government. In particular, it has been explained how the system of social security and the administration necessary to its functioning was created.

Rather than going over this history myself, I prefer to quote from one of the dozens of critical publications that have emerged at the grassroots level in attempts to counteract propaganda from Right, Left, and Center. In the September issue of *Fakir* presented as the "journal fâché avec tout le monde. Ou Presque" ("The newspaper angry with everyone. Or almost"), the creation of the present system of social security is explained lucidly and in no uncertain terms. I was first attracted by the front-page title on this four-page paper from the northern city of Amiens. "La revanche des collabos!" ("The Revenge of the Collaborationists!"), it blazoned. Now, "collabos" is a highly derogatory slang term referring to that majority of French people who, in one way or another, supported the Vichy government during the Nazi occupation of France. Yes, I thought, let's use this simplistic dichotomy, this division of the population into those who resist and those who collaborate. Here are words that raise hackles in a country still uneasy about what happened during that time of accommodation, when the logic of appeasement meant sending Jews, Gypsies and others off to work in camps and factories in Germany, or to die in extermination centers, while some others seized the time to profit for themselves, and relatively few engaged in collective resistance activities.

Today, there are those who fatalistically accept the new "reforms," and there is the actively resisting minority. *Fakir*

Why and how have Sarkozy and his government been successful in reversing social gains?

explains that the system of "social security, retirement, and public services" that we know today was built "in a country in ruins at the time of the Liberation by our grandpas and grannies who fought in the Resistance. Today, however, although France is the fifth greatest economic power in the world, it is said that we no longer can afford this 'national solidarity.'"

How did it happen? Well, first there was a political void when France was liberated from Nazi control and the Vichy government. The political Right was totally discredited, either fleeing toward Germany or taking on protective color by joining the Resistance before it was too late (one such case, among legions of others, was that of eventual "socialist" President François Mitterand).

The powerful capitalists had temporarily lost their political representation. They had been so complicit in fascist affairs that they had to keep a very low profile in a radically changed context. The political field was left to the military officer, Charles De Gaulle, to the prominent members of the Resistance, and, especially, to the French Communist Party which in 1945, thanks to its participation in the Resistance, formed the largest political party in terms of voter support.

Given this set of political circumstances and the need for national reconciliation, De Gaulle and the Communist Party concluded a pact. The agreement was based on a program elaborated by the National Council of the Resistance, in which working people and political dissidents were integrated into a national effort to reconstruct the economy. From this stemmed the creation of a comprehensive system of social security coverage, including health, unemployment and retirement benefits. The decrees were issued in October 1945 and were then incorporated into the Constitution of the Fourth Republic by popular referendum.

The general principle was that state and nation have an obligation to assist citizens, especially those most vulnerable – women, children, and elderly workers. The retirement system was based on this new constitutional premise. The National Council of the Resistance demanded retirements "permitting elderly workers to finish their lives in dignity."

In order to ensure the continuity of the social programs, state control over industries directly affecting the social well-being of the population was deemed necessary. The National Council of the Resistance called for "the return to the nation of all the important monopolized means of production, the fruit of collective work: the energy sources, the mineral resources, the insurance companies and the big banks." From 1945 to 1948, this was generally accomplished, including the electrical, natural gas and aeronautics industries. At the same time, an elaborate system of state administration was created, in which the major labor unions became integral participants. In particular, Maurice Thorez, general secretary of the French Communist Party, became minister of "the public function" and required that union officials play an equal role in policy determination alongside the government and industry.

When – because of the postwar compromise – the labor unions and the state entered into a partnership expressed in the construction of a specialized administrative bureaucracy, public education, and public utilities (including electrical

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and gas production and distribution, the national rail system, the postal services, health care, etc.), two sources of tension were created.

The first source of tension is linked to the job security enjoyed by state functionaries and to the modalities of promotion existing within the corps into which one has been inducted. Once in the state administration, employment is guaranteed until statutory retirement, but membership in a major labor union is essential in order to be promoted.

Maurice Thorez and the other Communist members of the first postwar governments established a rigidly hierarchical system of individual advancement within the new bureaucracies. They did this to ensure their continued political influence. On the capitalist side of things, a National School of Administration (Ecole Nationale d'Administration, or ENA) was also created in 1945 to provide expert directors for appointment to all branches of the new state system. The new administrative elites dominated managerial functions.

On a lower level, then, the unions dominated. This was a system tending toward a kind of totalitarian control in that the unions (the powerful CGT – General Federation of Labor – was informally controlled by the Communist Party) brokered decisions relative to professional promotion. Toward this end was established a pyramid of echelons, grades and classes offering salary increments throughout an individual's whole career, right up until retirement.

So, where is the problem? It lies in the simple fact that considerations external to the quality of individual job performance – such as the strategies of the local administration and the employee's union membership – are primary. For ambitious employees, conformity to union discipline and to local political expectations is the ticket to advancement. For the less ambitious, the security of their employment allows a minimization of their efforts. They are not bothered as long as they play the politico-administrative game. Laxity and absenteeism are generally recognized as a major phenomenon in all areas and levels of French bureaucracy.

All this is an open secret in France. Those in labor unions and "progressive" political parties know it, but will not talk about it for fear of angering their constituencies. In the recent strikes and demonstrations, the union bureaucracies acted mainly because of pressure from the rank and file. Almost everyone at the base of the social pyramid, and especially the unorganized, tends to "feel" the indifference or even contempt expressed to them by many administrative functionaries.

The second source of tension is within the general political Left in France. There are only a few voices on the radical Left venturing criticism of how the impressive and vital social services are administered in France. One such voice is Pierre Sommermeyer's. As he said five years ago (in the journal *Réfractions*, winter 2005): "For all those who have decided that the public sector is contrary to private interests and for those who resented those believed to be privileged, lazy functionaries, the bell of revenge has tolled against those who take advantage of their petty authority to lord it over people outside the protection of the state employment umbrella. …The path is short and straight between a society administered by the state and a society in the hands of profiteers."

The movement failed in relation to those of 1986, 1995 and 2006 that had succeeded in rolling back more limited but similar measures. This is so in spite of a strong current of resistance and a "revolutionary tradition."

The question of state control versus the alternative of participatory, democratic decision-making and administration is, of course, extremely complex. What still exists in France may be very attractive to those elsewhere who struggle against the ravages of institutionalized corruption and free-market ideology, and where political culture may be even more debased. But the so-called French model, so often touted outside of France, is on the point of collapsing under the pressures of political implosion in France and from the "harmonizing" directives of the European Union.

The new industrial-financial oligarchy has no real need for continued partnership with the labor unions or the Communist Party (now almost extinct). Even the professionally trained administrative elites of the previous generation are endangered by the changes. And, yet, the tendency for people ensconced in the system is to hunker down and protect their relative social advantages. This has been particularly evident in the universities, where massive collaboration with the noxious reforms reflects the still privileged status (but for how long?) of state employees – whether technical, administrative, or professorial personnel – in relation to the private sector.

Overwhelmingly, the drastic decline in union membership, and the discrediting of the established Left parties, has contributed to an increase in public ignorance and confusion. This is a major reason why Nicolas Sarkozy was elected in the first place, and why he and his government have been so successful in manipulating opinion and forcing through their regressive social "reforms." **CP**

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during court proceedings and at executions.

Animal trials were held in two distinct settings: ecclesiastical courts and secular courts. Ecclesiastical courts were the venue of choice for cases involving the destruction of public resources, such as crops, or in crimes involving the corruption of public morals, such as witchcraft or sexual congress between humans and beasts. The secular and royal courts claimed jurisdiction over cases where animals were accused of causing bodily harm or death to humans or, in some instances, other animals.

When guilty verdicts were issued and a death sentence imposed, a professional executioner was commissioned for the lethal task. Animals were subjected to the same ghastly forms of torture and execution as were condemned humans. Convicted animals were lashed, put to the rack, hanged, beheaded, burned at the stake, buried alive, stoned to death and drawn and quartered. In 14th century Sardinia, trespassing livestock had an ear cut-off for each offense. In an early application of the three-strikes-and-you're-out rule, the third conviction resulted in immediate execution.

The flesh of executed animals was never eaten. Instead, the corpses of the condemned were either burned, dumped in rivers, or buried next to human convicts in graveyards set aside for criminals and heretics. The heads of the condemned, especially in cases of bestiality, were often displayed on pikes in the town square adjacent to the heads of their human co-conspirators.

The first recorded murder trial involving an animal took place in 1266 at Fontenay-aux-Roses (birthplace of the painter Pierre Bonnard) on the outskirts of Paris. The case involved a murder of an infant girl. The defendant was a pig. Though the records have been lost, similar trials almost certainly date back to classical Greece, where, according to Aristotle, secular trials of animals were regularly held in the great Prytaneum of Athens.

Interestingly, Thomas Aquinas's *Summa Theologiae*, written in 1269, is in part an attack on Aristotle's ideas and his "radical acolytes" who had infiltrated the universities of 13th century Europe. In the *Summa*, Aquinas laboriously tried to explain the theological basis for the trials of animals.

While most of the animal trials appear to have taken place in France, Germany and Italy, nearly every country in Europe seems to have put beasts on trial, including Russia, Poland, Romania, Spain, Scotland and Ireland. Anglophiles have long claimed that England alone resisted the idea of hauling cows, dogs and pigs before the royal courts. But Shakespeare suggests otherwise. In *The Merchant of Venice*, Portia's friend, the young and impetuous Gratiano, abuses Shylock, comparing him to a wolf that had been tried and hanged for murder:

In medieval Europe (and even colonial America), thousands of animals were summoned to court and put on trial for a variety of offenses, ranging from trespassing, thievery and vandalism to rape, assault and murder.

"...thy currish spirit
Govern'd a wolf, who, hang'd for human slaughter,
Even from the gallows did his fell soul fleet,
And, whilst thou lay'st in thy unhallow'd dam,
Infus'd itself in thee..."

Even colonial Brazil got in on the act. In 1713, a rectory at the Franciscan monastery in Piedade no Maranhão collapsed, its foundation ravaged by termites. The friars lodged charges against the termites, and an ecclesiastical inquest soon issued a summons demanding that the ravenous insects appear before the court to confront the allegations against their conduct. Often, in such cases, the animals who failed to heed the warrant were summarily convicted in default judgments. But these termites had a crafty lawyer. He argued that the termites were industrious creatures, worked hard, and enjoyed a God-given right to feed themselves. Moreover, the lawyer declared, the slothful habits of the friars had likely contributed to the disrepair of the monastery. The monks, the defense lawyer argued, were merely using the local termite community as an excuse for their own negligence. The judge returned to his chambers, contemplated the facts presented to him, and returned with a Solomonic ruling. The friars were compelled to provide a woodpile for the termites to dine at, and the insects were commanded to leave the monastery and confine their eating to their new feedlot.

A similar case unfolded in the province of Savoy, France, in 1575. The weevils of Saint Julien, a tiny hamlet in the Rhone Alps, were indicted for the crime of destroying the famous vineyards on the flanks of Mount Cenis. A lawyer, Pierre Rembaud, was appointed as defense counsel for the accused. Rembaud wasted no time in filing a motion for summary judgment, arguing that the weevils had every right to consume the grape leaves. Indeed, Rembaud asserted, the weevils enjoyed a prior claim to the vegetation on Mount Cenis, because, as detailed in the Book of Genesis, the Supreme Deity had created animals before he fashioned humans and God had promised animals all of the grasses, leaves and green herbs for their sustenance. Rembaud's argument stumped the court. As the judges deliberated, the villagers of Saint Julien seemed swayed by the lawyer's legal reasoning. Perhaps the bugs had legitimate grievances. The townsfolk scrambled to set aside a patch of open land away from the vineyards as a foraging ground for the weevils. The land was surveyed. Deeds were drawn up, and the property was shown to counselor Rembaud for his inspection and approval. They called the weevil reserve La Grand Feisse. Rembaud walked the site, investigating the plant communities with the eyes of a seasoned botanist. Finally, he shook his head. No deal. The land was rocky and had obviously been overgrazed for decades. La Grand Feisse was wholly unsuitable for the discriminating palates of his clients.

The Perry Mason of animal defense lawyers was an acclaimed French jurist named Bartholomew Chassenée, who later became a chief justice in the French provincial courts and a preeminent legal theorist. One of Chassenée's most intriguing essays, the 16th-century equivalent of a law review article, was titled "De Excommunicatore Animalium Insectorium." In another legal monograph, Chassenée argued with persuasive force that local animals, both wild and

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domesticated, should be considered lay members of the parish community. In other words, the rights of animals were similar in kind to the rights of the people at large.

In the summer of 1522, Chassenée was called to the ancient village of Autun in Burgundy. The old town, founded during the reign of Augustus, had been recently overrun by rats. French maidens had been frightened, the barley crop destroyed, the vineyards placed in peril. The town crier issued a summons for the rats to appear before the court. None showed. The judge asked Chassenée why he should not find his clients guilty *in absentia*. The lawyer argued that the rat population was dispersed through the countryside, and that his clients were almost certainly unaware of the charges pending against them. The judge agreed. The town crier was dispatched into the fields to repeat his urgent notice. Yet, still the rats failed to appear at trial. Once again Chassenée jumped into action. Showing tactical skills that should impress Gerry Spence, Chassenée shifted his strategy. Now he passionately explained to the court that the rats remained hidden in their rural nests, paralyzed by the prospect of making a journey past the cats of Autun, who were well known for their ferocious animosity toward rodents.

In the end, the rats were spared execution. The judge sternly ordered them to vacate the fields of Autun within six days. If the rats failed to heed this injunction, the animals would be duly anathematized, condemned to eternal torment. This sentence of damnation would be imposed, the court warned, regardless of any rodent infirmities or pregnancies.

Few animal trials were prosecuted as vigorously as those involving allegations of bestiality. In 1565, a man was indicted for engaging in sexual relations with a mule in the French city of Montpelier. The mule was also charged. Both stood trial together. They were duly convicted and sentenced to death at the stake. Because of the mule's angry disposition, the animal was subjected to additional torments. His feet were chopped off before the poor beast was pitched into the fire.

In 1598, the suspected sorceress Françoise Secretain was brought before the inquisitional court at St. Claude in the Jura Mountains of Burgundy, to face charges of witchcraft and bestiality. Secretain was accused of communing with the devil and having sex with a dog, a cat, and a rooster. The blood-curdling case is described in detail by her prosecutor, the Grand Justice Henri Boguet, in his strange memoir *Discours des Sorciers*. Secretain was stripped naked in her cell, as the fanatical Boguet inspected her for the mark of Satan. The animals were shaved and plucked for similar examinations. Secretain and her pets were put to various tortures, including having a hot poker plunged down their throats to see if they shed tears, for, as Boguet noted in his memoir:

"All the sorcerers whom I have examined in quality of judge have never shed tears in my presence: or, indeed, if they have shed them, it has been so parsimoniously that no notice was taken of them. I say this with regard to those who seemed to weep, but I doubt if their tears were not feigned. I am at least well assured that those tears were wrung from them with the greatest efforts. This was shown by the efforts which the accused made to weep, and by the small number of tears which they shed."

The friars were compelled to provide a woodpile for the termites to dine at, and the insects were commanded to leave the monastery and confine their eating to their new feedlot.

Alas, the poor woman and her animals did not weep. They perished together in flames at the stake.

In 1642, a teenage boy named Thomas Graunger stood accused of committing, in the unforgettable phrase of Cotton Mather, "infandous Buggeries" with farm animals in Plymouth, Massachusetts. Young master Graunger was hauled before an austere tribunal of Puritans, headed by Gov. William Bradford. There he stood trial beside his co-defendants – a mare, a cow, two goats, four sheep, two calves, and a turkey. All were found guilty. They were publicly tortured and executed. Their bodies were burned on a pyre, their ashes buried in a mass grave. Graunger was the first juvenile to be executed in colonial America.

What are we to make of all this? Why did both the secular and religious courts of Europe devote so much time and money to these elaborate trials of troublesome animals? Some scholars, such as James Frazer, argue that the trials performed the function of the ancient rituals of sacrifice and atonement. Others, such as the legal theorist Hans Kelsen, view the cases as the last gasp of the animistic religions. Some have offered an economic explanation, suggesting that animals were tried and executed during times of glut or seized in times of economic plight as property by the Church or Crown through the rule of deodand, or "giving unto God." Still others have suggested that the trials and executions served a public health function, culling populations of farm animals and rodents that might contribute to the spread of infectious diseases.

Our interest here, however, is not with the social purpose of the trials but in the qualities and rights of the so-called medieval mind ascribed to the defendants: rationality, premeditation, free will, moral agency, calculation and motivation. In other words, it was presumed that animals acted with intention, that they could be driven by greed, jealousy and revenge. Thus the people of the Middle Ages, dismissed as primitives in many modernist quarters, were actually open to a truly radical idea – animal consciousness. As demonstrated in these trials, animals could be found to have *mens rea*, a guilty mind. But the courts also seriously considered exculpatory evidence aimed at proving that the actions of the accused, including murder, were justifiable owing to a long train of abuses. In other words, if animals could commit crimes, then crimes could also be committed against them.

The animal trials peaked in the late 16th and early 17th centuries, then faded away. They came to be viewed through the lens of modern historians as comical curiosities, grotesquely odd relics of the Dark Ages. The legal scholar W. W. Hyde succinctly summed up the smug, self-aggrandizing view of the legal scholars of the 20th century, "The savage in his rage at an animal's misdeeds obliterates all distinctions between man and beast, and treats the latter in all respects as the former."

Of course, the phasing out of animal

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trials didn't mean that the cruel treatment of domesticated animals improved, or that problematic beasts stopped being put to death in public extravaganzas. While the trials ceased, the executions increased.

Recall the death warrant issued in 1903 against Topsy the Elephant, star of the Forepaugh Circus at Coney Island's Luna Park. She had killed three handlers in a three-year period. One of her trainers was a sadist, who tortured the elephant by beating her with clubs, stabbing her with pikes and feeding her lit cigarettes. Topsy was ordered to be hanged, but then Thomas Edison showed up and offered to electrocute Topsy. She was shackled, fed carrots laced with potassium cyanide, and jolted with 6,600 volts of alternating current. Before a crowd of 1,500 onlookers, Topsy shivered, toppled, and died in a cloud of dust. Edison filmed the entire event. He titled his documentary short, *Electrocuting the Elephant*. Topsy received no trial. It was not even imagined that she had grievances, a justification for her violent actions. Topsy was killed because she'd become a liability. Her death was a business decision, pure and simple.

So, what happened? How did animals come to be viewed as mindless commodities? One explanation is that modernity rudely intruded in the rather frail form of René Descartes. The great Cartesian disconnect not only cleaved mind from body, but also severed humans from the natural world. Descartes postulated that animals were mere physical automatons. They were biological machines whose actions were driven solely by biophysical instincts. Animals lacked the power of cognition, the ability to think and reason. They had a brain but no mind. At Port-Royal the Cartesians cut up living creatures with fervor, and, in the words of one of Descartes' biographers, "kicked about their dogs and dissected their cats without mercy, laughing at any compassion for them and calling their screams the noise of breaking machinery." Across the Channel, Francis Bacon declared in the *Novum Organum* that the proper aim of science was to restore the divinely ordained dominance of man over nature, "to extend more widely the limits of the power and greatness of man and so to endow him with 'infinite commodities.'" Bacon's doctor, William Harvey, was a diligent vivisector of living animals.

Thus did the great sages of the Enlightenment assert humanity's ruthless primacy over the animal kingdom. The materialistic view of history, and the fearsome economic and technological pistons driving it, left no room for either the souls or consciousness of animals. They were no longer our fellow beings. They had been rendered philosophically and literally into resources for guiltless exploitation, turned into objects of commerce, labor, entertainment and food.

Conveniently for humans, the philosophers of the Industrial Age declared that animal had no sense of their miserable condition. They could not understand abuse, they had no conception of suffering, they could not feel pain. When captive animals bit, trampled or killed their human captors, it wasn't an act of rebellion against abusive treatment but merely a reflex. There was no need, therefore, to investigate the motivations behind these violent encounters because there could be no premeditation at all on the animal's part. The confrontations could not be crimes. They were mere accidents, nothing more.

Now he passionately explained to the court that the rats remained hidden in their rural nests, paralyzed by the prospect of making a journey past the cats of Autun.

Contrast Descartes' sterile, homocentric view with that of Michel de Montaigne. Writing 50 years before Descartes, Montaigne, the most gifted French prose stylist, declared: "We understand them no more than they us. By the same token, they may as well esteem us beasts as we them." Famously, he wrote in the "Apology for Raymond Sebond", "When I play with my cat, who knows if I am not a pastime to her more than she is to me?" Montaigne was distressed by the barbarous treatment of animals, "If I see but a chicken's neck pulled off or a pig sticked, I cannot choose but grieve; and I cannot well endure a silly dew-bedabbled hare to groan when she is seized upon by the hounds."

But the materialists held sway. Descartes was backed up by the grim John Calvin, who proclaimed that the natural world was merely a material resource to be exploited for the benefit of humanity, "True it is that God hath given us the birds for our food," Calvin declared. "We know he hath made the whole world for us." John Locke, the father of modern liberal thinking, described animals as "perfect machines" available for unregulated use by man. The animals could be sent to the slaughterhouse with no right of appeal. In Locke's coldly utilitarian view, cows, goats, chickens and sheep were simply meat on feet.

Thus was the Great Chain of Being ruthlessly transmuted into an iron chain with a manacle clasped around the legs and throats of animals, hauling them off to zoos, circuses, bull rings, and abattoirs.

Karl Marx, that supreme materialist, ridiculed the Romantic poets for their "deification of Nature" and chastised Darwin for his "natural, zoological way of thinking." Unfortunately, Marx's great intellect was not empathetic enough to extend his concepts of division of labor, alienation, and worker revolt to the animals harnessed into grim service by the lords of capital. By the 1930s, so Matt Cartmill writes in his excellent history of hunting, *A View to a Death in the Morning: Hunting and Nature Through History*, "some Marxist thinkers … urged that it was time to put an end to nature and that animals and plants that serve no human purpose ought to be exterminated."

Marx liked to disparage his enemies by calling them baboons. But what would Marx have made of the baboons of northern Africa, hunted down by animal traders who slaughtered nursing mother baboons and stole their babies for American zoos and medical research labs? The baboon communities violently resisted this risible enterprise, chasing the captors through the wilderness all the way to the train station. Some of the baboons even followed the train for more than a hundred miles and, at distant stations, launched raids on the cars in an attempt to free the captives. How's that for fearless solidarity?

Fidel Castro, one of Marx's most ardent political practitioners, reinvented himself in his 80s as a kind of eco-guerilla, decrying the threat of global warming and advocating green revolutions.

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Yet, Castro likes nothing more than to take visiting journalists to the Acuario Nacional de la Habana to watch captive dolphins perform tricks. The cetaceans are kept in wretched conditions, often trapped in waters so saturated with chlorine that it burns ulcers in the skin and peels the corneas off the eyeballs. Cuba captures and breeds dolphins for touring exhibitions and for sale to notoriously noxious aquatic parks throughout South America. The captive dolphins in Havana are trained by Celia Guevara, daughter of Che. There, as in other dolphin parks, food is used as a weapon in the pitiless reconditioning of the brainy sea mammals. Do the trick right, or you don't get fed. Is it any wonder then that many captive dolphins have chosen to bite the hand that starves them?

In 1975, the Australian Peter Singer published his revolutionary book *Animal Liberation*. Singer demolished the Cartesian model that treated animals as mere machines. Blending science and ethics, Singer asserted that most animals are sentient beings, capable of feeling pain. The infliction of pain was both unethical and immoral. He argued that the Marxist philosophy of providing "the greatest good for the greatest number" (actually the philosophy of utilitarianism) should be extended to animals and that animals should be liberated from their servitude in scientific labs, factory farms, circuses and zoos.

A quarter century after the publication of *Animal Liberation*, Peter Singer revisited the great taboo of bestiality in an essay titled "Heavy Petting." Expressing sentiments that would have shocked Grand Inquisitor Boguet, Singer argued that sexual relations between humans and animals should not automatically be considered acts of abuse. According to Singer, it all comes down to the issue of harm. In some cases, Singer suggested, animals might actually feel excitement and pleasure in such interspecies couplings. Even for the most devoted animal rights advocates this might be taking E. O. Wilson's concept of biophilia a little bit too literally.

In *Fear of the Animal Planet: The Hidden History of Animal Resistance*, historian Jason Hribal takes a radical but logical step beyond Singer. Hribal reverses the perspective and tells the story of liberation from the animals' points of view. This is history written from the end of the chain, from inside the cage, from the depths of the tank. Hribal's chilling investigation travels much further than Singer dared to go. For Hribal, the issue isn't merely harm and pain, but consent. The confined animals haven't given their permission to be held captive, forced to work, fondled, or publicly displayed for profit.

Hribal skillfully excavates the hidden history of captive animals as active agents in their own liberation. His book is a harrowing and curiously uplifting chronicle of resistance against some of the cruelest forms of torture and oppression this side of Abu Ghraib prison. Hribal takes us behind the scenes of circus and the animal park, exposing methods of training involving sadistic forms of discipline and punishment, where elephants and chimps are routinely beaten and terrorized into submission.

Thus the people of the Middle Ages, dismissed as primitives in many modernist quarters, were actually open to a truly radical idea – animal consciousness.

We witness from the animals' perspective the tyrannical trainers, creepy dealers in exotic species, arrogant zookeepers and sinister hunters, who slaughtered the parents of young elephants and apes in front of their young before they captured them. We are taken inside the cages, tents and tanks, where captive elephants, apes and sea mammals are confined in wretched conditions with little medical care.

All of this is big business, naturally. Each performing dolphin can generate more than a million dollars a year in revenue, while orcas can produce twenty times that much.

There is a history of violent resistance to such abuses. There are stories of escapes, subterfuges, work stoppages, gorings, rampages, bitings, and, yes, revenge killings. Each trampling of a brutal handler with a bull-hook, each mauling of a taunting visitor, each drowning of a tormenting trainer is a crack in the old order that treats animals as property, as engines of profit, as mindless objects of exploitation and abuse. The animal rebels are making their own history, and Jason Hribal serves as their Michelet.

Hribal's heroic profiles in animal courage show how most of these violent acts of resistance were motivated by their abusive treatment and the miserable conditions of their confinement. These animals are far from mindless. Their actions reveal memory – not mere conditioning, contemplation – not instinct, and, most compellingly, discrimination – not blind rage. Again and again, the animals are shown to target only their abusers, often taking pains to avoid trampling bystanders – in other words, animals acting with a moral conscience.

So, let us now praise infamous animals.

Consider the case of Jumbo the Elephant, the world's most famous animal. Captured in eastern Africa in 1865, Jumbo would become the star attraction of P.T. Barnum's Circus. Jumbo earned millions for his owners, but he was treated abysmally for most of his brief life. The giant pachyderm was confined to a small compartment with a concrete floor that damaged his feet and caused his joints to become arthritic. He was trained by the use of unspeakably brutal methods, shackled in leg-chains, jabbed with a lance, beaten with ax handles, drugged and fed beer to the point of intoxication. He was endlessly shipped back and forth across the country on the circus train and made to perform two shows a day, six days a week. At the age of 24, Jumbo was finally fed up. He could tolerate it no more. On a September night in Ontario, Jumbo and his sidekick, the small elephant called Thom Thumb, broke free from their handlers and wondered away from the tent and toward the train tracks. As P.T. Barnum later told the story, Jumbo pushed his pal Thom Thumb safely off the tracks and tried to ram an oncoming train. After Jumbo died, an autopsy was performed. His stomach contents revealed numerous metallic objects that he had been fed over the years, including keys, screws, bolts, pennies and nickels – his reward for entertaining hundreds of thousands of people.

Tatiana the Tiger, confined for years in a small enclosure at the San Francisco Zoo, finally reached her limit after being tormented by three teenaged boys on Christmas Day 2006. She leapt the 12-foot-high wall, snatched one of the

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lads in her paws, and eviscerated him. She stalked the zoo grounds for the next half-hour, bypassing many other visitors, until she tracked down the two other culprits and mauled them both before being gunned down by police.

Moe the Chimpanzee was an unpaid Hollywood actor who, when he wasn't working, was locked in a tiny cage in West Covina. Moe made multiple escapes and fiercely resisted his recapture. He bit four people and punched at least one police officer. After his escape, he was sent off to a miserable confinement at a place called Jungle Exotics. Moe escaped again, this time into the San Bernadino Mountains, where he's never been heard from since.

Tyke the Elephant was captured in the savannahs of Zimbabwe and shipped to the United States to work in a traveling circus, where she was routinely disciplined with a sharp hook called an ankus. After 20 years of captivity and torture, Tyke reached her tipping point one day in Honolulu. During the elephant routine under the Big Top, Tyke made her break. She smashed through the railings of the ring and dashed for the exits. She chased after circus clowns and handlers, overturned cars, busted through a gate, and ran onto the streets of Honolulu. She was gunned down, while still wearing her rhinestone tiara.

Then there is the story of Tilikum the Orca. When he was two, Tilikum was rudely seized from the frigid waters of the North Atlantic off the coast of Iceland. The young killer whale was shipped to Vancouver Island, where he was forced to perform tricks at an aquatic theme park called Sealand. Tilikum was also pressed into service as a stud, siring numerous calves for exploitation by his captors. Tilikum shared his small tank with two other orcas, Nootka and Haida. In February 1991, the whales' female trainer slipped and fell into the tank. The whales wasted no time. The woman was being grabbed and tossed back and forth between the three whales until she drowned. At the time of the killing, Haida was pregnant with a calf sired by Tilikum.

Eight years later, a 27-year-old man broke into the aquatic park, stripped off his clothes and jumped into the tank with Tilikum. The orca seized the man, bit him sharply and flung him around. He was found floating dead in the pool the next morning. The authorities claimed the man died of hypothermia.

In 2010, Tilikum was a star attraction at Sea World in Orlando. During an event called "Dining With Shamu," Tilikum snatched his trainer, Dawn Brancheau, and dragged her into the pool, where, in front of horrified patrons, he pinned her to the bottom until she drowned to death. The whale had delivered his third urgent message.

Tilikum is the Nat Turner of the captives of Sea World. He has struck courageous blows against the enslavement of wild creatures. Now, it is up to us to act on his thrust for liberation and build a global movement to smash forever these aquatic gulags from the face of the Earth. **CP**

Jason Hribal's Fear of the Animal Planet, *162 pp., is available from CounterPunch, PO Box 228, Petrolia, CA 95558, or by phone at 1-800-840-3683 (inside the U.S.A.) From outside the U.S.A. dial 707-629-3683. To place online orders http://CounterPunch.org.*
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